

## **Judicial Education Committee**

Friday, March 24, 2006

Indiana Supreme Court Conference Room, Room 1373

National City Center

1. **Committee Members present:** Earl Penrod (chair), Mark Bailey, Ted Boehm, Chris Burnham, Barbara Collins, Steve David, Darrin Dolehanty, Bob Freese, Jane Magnus Stinson, John Rader, Mike Witte.
2. **Staff present:** Vicki Davis and Anne Jordan.
3. The minutes from the January meeting were approved as submitted.
4. Spring Judicial College, April 19-21. Staff reported there are 250 judicial officers signed up to attend at least one course at the Spring Judicial College. The Committee liked the look of the brochure and many course offerings. One member indicated a desire for more half-day courses. The committee discussed the session on self-represented litigants and generally commented on the growing issues presented by pro se litigation.
5. September Judicial Conference, September 13-15, South Bend. Staff handed out an outline of the 3 day meeting together with suggested course offerings. The Notre Dame Law School may be hosting a reception and possibly tours of the campus. Staff noted that the Supreme Court has requested a session on prisoner litigation in response to concerns raised at the district meetings. In addition, Sandy Brook has been invited to participate as faculty at the conference. Several committee members suggested included a session on mediation skills as well as one on disqualification issues at the annual meeting. Additional topics suggested include: juror control and juror management issues i.e., what can you do when a juror fails to appear; contempt of court procedures and use of contempt to enforce support collection; pro se litigation; DUI litigation – source codes, relation-back, vehicle forfeiture, ignition interlock; and firearm retention statutes one year later. One suggestion was to ask the various committees to respond to a list of frequently asked questions.” For the criminal law update a suggestion was made to have a presentation by a criminal defense attorney and a prosecutor on one or two issues (example: stops and police conduct), with a judge moderator.
  - a. Faculty recommendations. The Notre Dame Law School has expressed an interest in having their law school faculty teach some courses. A list of professors and their areas of interest was handed out.
  - b. Ethics and Professionalism committee request. The Ethics and Professionalism Committee has requested that one of the time blocks at the annual meeting be set aside for courses on Judicial Wellness, so that the wellness courses do not compete with topics such as evidence and criminal law. A copy of the minutes from their recent meeting were handed out, listing the various topics. The Senior Judge Committee has also contacted the Judicial Center and asked for a workshop on retirement (one of the course listings on the Ethics list). The committee agreed that judicial wellness should be available at the annual meeting, including a session on retirement. A concern was expressed that allowing only wellness courses during one morning or afternoon of the conference could establish a precedent, and other groups would want their tracks spotlighted as well. It

was suggested we offer the wellness sessions either as a Wednesday or Thursday morning early bird sessions.

6. Winter Conference, December 8. The committee agreed that because Domestic Violence touches so many jurisdictions, both criminal and civil and includes substance abuse, it would be an appropriate topic for December. One committee member asked whether there were any national model or models on “what works” in domestic violence.
7. ADR training request. The ADR Committee asked the Supreme Court to consider offering a 40-hour mediation training for judicial officers. The Court determined that this would be a strain on financial and staff resources; but that including short sessions on mediation skills as part of the existing judicial conference schedule is appropriate. The committee members agreed with the position expressed by the Supreme Court. A suggestion was made to provide information to judges about the availability of other 40-hour programs in the state. Another suggestion was to check into the possibility of co-sponsoring a program on mediation.
8. Report on Valparaiso CLE Symposium, March 16-17. Judge Penrod reported on the symposium and expressed his appreciation over the fact that judicial education was included as a topic. He also noted that he would like the committee at some point to discuss his proposal for mandatory continuing judicial education as opposed to continuing legal education for judicial officers.
9. Listserv update. Staff reported that a listserv is being piloted among 3 committees of juvenile court judicial officers with some success. A list of suggested listserv groups will be presented to the committee in May. Committee members posed a number of questions relating to the listserv including: whether listserv communications are discoverable; whether the public could obtain access to listserv; whether questions can be posed anonymously; and whether there are any issues with respect to the code of judicial conduct in posting what may be issues in a pending case on a listserv. The committee also wondered about the status of secure portal for listserv communications.
10. **Next meeting date, Friday, May 19, 1:00 – 3:30 p.m.** Three committee members will be in Reno for a conference; otherwise most members felt they could come.

The meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Anne Jordan  
Program Attorney